

## SENATE BILL No. 270

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 16-31-3.5; IC 22-15.

**Synopsis:** Occupational certification requirements. Amends various provisions concerning certification and licensing requirements for: (1) emergency medical dispatchers and dispatch agencies; (2) regulated amusement device inspectors; (3) elevator mechanics; and (4) boiler and pressure vessel inspectors. Deletes obsolete provisions. Repeals provisions concerning certification requirements for emergency medical dispatchers and dispatch agencies.

**Effective:** July 1, 2009.

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**Arnold, Wyss**

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January 7, 2009, read first time and referred to Committee on Homeland Security, Transportation & Veterans Affairs.

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Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

## SENATE BILL No. 270

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 16-31-3.5-1 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. (a) The definitions  
3 in this section apply throughout this chapter.

4 (b) "Medical director" means a licensed physician who provides  
5 emergency medical dispatch medical direction to the emergency  
6 medical dispatch agency and works with the local emergency medical  
7 services medical director, if not the same person.

8 (c) "Emergency medical dispatcher" means a person who is trained  
9 to provide emergency medical dispatch services and who is certified  
10 under this chapter.

11 (d) (b) "Emergency medical dispatching" means the reception,  
12 evaluation, processing, and provision of dispatch life support,  
13 management of requests for emergency medical assistance, and  
14 participation in ongoing evaluation and improvement of the emergency  
15 medical dispatch process. This process includes identifying the nature  
16 of the request, prioritizing the severity of the request, dispatching the  
17 necessary resources, providing medical aid and safety instructions to

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the callers, and coordinating the responding resources as needed, but does not include call routing itself.

~~(e)~~ (c) "Emergency medical dispatch agency" means any person that provides emergency medical dispatching for emergency medical assistance that is certified under this chapter.

SECTION 2. IC 16-31-3.5-3, AS AMENDED BY P.L.22-2005, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. (a) ~~After December 31, 2006, an individual may not furnish, operate, conduct, maintain, or advertise services as an emergency medical dispatcher or otherwise be engaged as an emergency medical dispatcher unless that individual is certified by the commission as an emergency medical dispatcher.~~

~~(b)~~ After December 31, 2006, 2009, a person may not furnish, operate, conduct, maintain, or advertise services as an emergency medical dispatcher or otherwise be engaged as an emergency medical dispatch agency unless certified by the commission as an emergency medical dispatch agency.

SECTION 3. IC 16-31-3.5-5, AS AMENDED BY P.L.22-2005, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 5. (a) To be certified as an emergency medical dispatch agency, a person must:

- (1) meet the standards established by the commission; and
- (2) pay the fee established by the commission.

(b) An emergency medical dispatch agency certificate expires on the expiration date established when it is issued, which must be at least two (2) years after the date of its issuance. To renew a certificate, an emergency medical dispatch agency must:

- (1) meet the renewal requirements established by the commission; and
- (2) pay the fee established by the commission.

(c) The emergency medical dispatch agency must be operated in a safe, efficient, and effective manner in accordance with commission approved standards that include the following requirements:

- (1) **Before functioning alone in an online capacity**, all personnel providing emergency medical dispatch services must be certified as emergency medical dispatchers **by through a training program that is:**

- (A) **approved** by the commission; ~~before functioning alone in an online capacity;~~ and
- (B) **used by the department.**

- (2) The protocols, procedures, standards, and policies used by an emergency medical dispatch agency to dispatch emergency

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1 medical aid must comply with the requirements established by the  
2 commission.

3 ~~(3) The commission must require the emergency medical dispatch~~  
4 ~~agency to appoint a dispatch medical director to provide~~  
5 ~~supervision and oversight over the medical aspects of the~~  
6 ~~operation of the emergency medical dispatch agency.~~

7 (d) The commission may require the submission of periodic reports  
8 from an emergency medical dispatch agency. The emergency medical  
9 dispatch agency must submit the reports in the manner and with the  
10 frequency required by the commission.

11 (e) An emergency medical dispatch agency shall report to the  
12 commission whenever an action occurs that may justify the revocation  
13 or suspension of a certificate issued by the commission.

14 SECTION 4. IC 22-15-5-12 IS AMENDED TO READ AS  
15 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 12. (a) ~~After May 1,~~  
16 ~~2003,~~ An individual may not act as an elevator mechanic unless the  
17 individual holds an elevator mechanic license issued under this  
18 chapter. A license is not required for an elevator apprentice.

19 (b) An individual who is an applicant for an elevator mechanic  
20 license must meet one (1) of the following eligibility criteria:

21 (1) Hold an active elevator mechanic license issued by a state that  
22 has a licensing program that is at least equivalent to the elevator  
23 mechanic licensing program established under this chapter.

24 (2) Satisfy both of the following:

25 (A) Have at least one (1) of the following types of work  
26 experience or training:

27 (i) Have at least three (3) years of documented work  
28 experience in the elevator industry in construction,  
29 maintenance, and service or repair. **Documented work**  
30 **experience under this item must include supervised field**  
31 **hours described in subdivision (3).**

32 (ii) ~~Have at least eighteen (18) months experience in the~~  
33 ~~elevator industry in construction, maintenance, and service~~  
34 ~~or repair and have at least three (3) years experience in a~~  
35 ~~related field that is certified by a licensed elevator~~  
36 ~~contractor.~~

37 ~~(iii)~~ (ii) Complete an apprenticeship program that is  
38 registered with the Bureau of Apprenticeship and Training  
39 of the United States Department of Labor or a state  
40 apprenticeship program and that the commission determines  
41 is at least equivalent to three (3) years of work experience in  
42 the elevator industry in construction, maintenance, and

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service or repair.

(B) Successfully complete a written competency examination approved by the commission.

(3) Successfully complete an elevator mechanic's program that consists of a combination of extensive training and a comprehensive examination that the commission has determined is at least equivalent to both the work experience required under subdivision (2)(A)(i) and the competency examination established under subdivision (2)(B). **For purposes of this subdivision, "extensive training" refers to training that includes:**

**(A) at least one thousand seven hundred (1,700) supervised field hours and one hundred forty (140) documented instructional hours per year; and**

**(B) in order to successfully complete an elevator mechanic's program, at least:**

**(i) three thousand five hundred (3,500) supervised field hours in elevator service, repair, modernization, and construction;**

**(ii) two hundred forty (240) instructional hours in basic wiring, electricity, solid state electronics, circuit tracing, and relay logic;**

**(iii) two thousand three hundred (2,300) supervised field hours in elevator construction and modernization;**

**(iv) one hundred eighty (180) instructional hours in safety, blueprint reading, handling of materials and tools, rigging and hoisting, pit structures, guide rails, car and counterweight assembly and roping, wiring installation, door installation, hydraulics, and machine room, escalator, and overhead installations;**

**(v) one thousand (1,000) supervised field hours in general elevator repair and modernization; and**

**(vi) sixty (60) instructional hours in reroping, recabling, door operator and related equipment, traveling, cable, motors, generators, bearings, sheaves, drivers, escalators, moving walks, and similar equipment.**

**(4) Furnish acceptable proof to the department of:**

**(A) at least three (3) years work experience in the elevator industry in construction, maintenance, service or repair; and**

**(B) current performance of the duties of an elevator mechanic in Indiana without direct supervision;**

**and apply for the license on or before May 1, 2003.**

**(c) An applicant for an initial elevator mechanic license must do the**

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following:

(1) Submit to the department an application provided by the department that contains the following information:

(A) The name, business address, telephone number, and electronic mail address of the applicant.

(B) Any other information the department requires.

(2) Submit to the department any proof of eligibility the department requires.

(3) Pay the nonrefundable and nontransferable license fee established under IC 22-12-6-6.

(4) Affirm under penalty of perjury that all information provided to the department is true to the best of the applicant's knowledge and belief.

(d) An applicant for a renewal elevator mechanic license must do the following:

(1) Submit to the department an application provided by the department that contains the following information:

(A) The name, business address, telephone number, and electronic mail address of the applicant.

(B) Any other information the department requires.

(2) Submit proof of completion of the continuing education required by section 15 of this chapter.

(3) Pay the nonrefundable and nontransferable license fee established under IC 22-12-6-6.

(4) Affirm under penalty of perjury that all information provided to the department is true to the best of the applicant's knowledge and belief.

(e) An ~~initial~~ elevator mechanic license issued **or renewed** under this chapter expires on ~~December 31~~ of the second year after the license was issued: **birthday of the licensee following the date on which the license was issued.**

~~(f) A renewal of an elevator mechanic license is valid for two (2) years.~~

~~(g)~~ (f) An individual engaged in the business of an elevator mechanic shall carry the individual's license and present the license for inspection by a representative of the department upon request.

**(g) Notwithstanding subsection (e), an unexpired elevator mechanic license issued before July 1, 2009, expires on the second birthday of the licensee following the date on which the license was issued.**

SECTION 5. IC 22-15-6-2, AS AMENDED BY P.L.1-2006, SECTION 397, IS AMENDED TO READ AS FOLLOWS

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[EFFECTIVE JULY 1, 2009]: Sec. 2. (a) The division shall conduct a program of periodic inspections of regulated boilers and pressure vessels.

(b) The division or a boiler and pressure vessel inspector acting under section 4 of this chapter shall issue a regulated boiler and pressure vessel operating permit to an applicant who qualifies under this section.

(c) Except as provided in subsection (f), a permit issued under this section expires one (1) year after it is issued. The permit terminates if it was issued by an insurance company acting under section 4 of this chapter and the applicant ceases to insure the boiler or pressure vessel covered by the permit against loss by explosion with an insurance company authorized to do business in Indiana.

(d) To qualify for a permit or to renew a permit under this section, an applicant must do the following:

(1) Demonstrate through an inspection that the regulated boiler or pressure vessel covered by the application complies with the rules adopted by the rules board.

(2) Pay the fee set under IC 22-12-6-6(a)(8).

(e) ~~After June 30, 2004~~; An inspection under subsection (d)(2) shall be conducted as follows:

(1) An inspection for an initial permit shall be conducted by:

(A) the division; or

(B) an owner or user inspection agency.

(2) An inspection for a renewal permit shall be conducted by one

(1) of the following:

(A) An insurance company inspection agency, if the vessel is insured under a boiler and pressure vessel insurance policy and the renewal inspection is not conducted by an owner or user inspection agency.

(B) An owner or user inspection agency.

(C) The division, if:

(i) the owner or user of a vessel is not licensed as an owner or user inspection agency and the vessel is not insured under a boiler and pressure vessel insurance policy; **or**

**(ii) the regulated boiler or pressure vessel operating permit has lapsed.**

(f) The rules board may, by rule adopted under IC 4-22-2, specify a period between inspections of more than one (1) year. However, the rules board may not set an inspection period of greater than five (5) years for regulated pressure vessels or steam generating equipment that is an integral part of a continuous processing unit.

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SECTION 6. IC 22-15-7-4, AS AMENDED BY P.L.1-2006, SECTION 404, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4. (a) The commission shall adopt rules under IC 4-22-2 to define appropriate training for a person who inspects regulated amusement devices.

(b) The rules required under this section must, at a minimum, provide the following:

(1) The adoption by reference of:

(A) ASTM F 698 (1994 edition) ("Specification for Physical Information to be Provided to Amusement Rides and Devices");

(B) ASTM F 770 (1993 edition) ("Practice for Operation Procedures for Amusement Rides and Devices");

(C) ASTM F 846 (1992 edition) ("Guide for Testing Performance of Amusement Rides and Devices");

(D) ASTM F 853 (1993 edition) ("Practice for Maintenance Procedures for Amusement Rides and Devices");

(E) ASTM F 893 (1987 edition) ("Guide for Inspection of Amusement Rides and Devices");

(F) ASTM F 1305 (1994 edition) ("Standard Guides for the Classification of Amusement Ride and Device Related Injuries and Illnesses"); or

(G) any subsequent published editions of the ASTM standards described in clauses (A) through (F).

(2) A requirement that inspectors employed or contracted by the division:

(A) have and maintain at least:

(i) a Level 1 certification from the National Association of Amusement Ride Safety Officials **or an equivalent organization; or**

**(ii) an equivalent certification from a process or system; approved by the commission; and**

(B) conduct inspections that conform to the rules of the commission.

(3) A requirement that regulated amusement devices be operated and maintained in accordance with the rules of the commission.

(4) ~~After July 1, 2005, The commission's chief inspector or supervisor of regulated amusement device inspectors must have and maintain at least: (A) a Level I certification. if the chief inspector or supervisor has not more than five (5) years of service as the chief inspector or a supervisor; and~~

~~(B) a Level II certification if the chief inspector or supervisor~~

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1                   has more than five (5) years of service as the chief inspector or  
2                   a supervisor.

3                   SECTION 7. THE FOLLOWING ARE REPEALED [EFFECTIVE  
4                   JULY 1, 2009]: IC 16-31-3.5-4; IC 16-31-3.5-4.5; IC 16-31-3.5-6.

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